



1 modification consultant, pursuant to NRS 645F and the Permanent Regulation.

2 4. Pursuant to the Regulation, "(w)hether or not a complaint has been filed, the  
3 Commissioner may investigate a licensee or other person if, for any reason, it appears  
4 that...(t)he licensee or other person is offering or providing any of the services of a covered  
5 services provider, foreclosure consultant or loan modification consultant or otherwise  
6 engaging in, carrying on or holding himself out as engaging in or carrying on the business of a  
7 covered services provider, foreclosure consultant or loan modification consultant without  
8 being appropriately licensed or exempt from licensing pursuant to the provisions of this  
9 chapter or chapter 645F of NRS...." See, Section 105(1)(b) of the Regulation.  
10

11 5. Pursuant to the Regulation, "(a) person shall not advertise services as, provide any  
12 of the services of, act as or conduct business as a covered service provider, foreclosure  
13 consultant or loan modification consultant or otherwise engage in, carry on or hold himself out  
14 as engaging in or carrying on the activities of a covered service provider, foreclosure  
15 consultant or loan modification consultant unless the person has a license as a covered  
16 service provider, foreclosure consultant or loan modification consultant, as applicable, issued  
17 pursuant to this chapter and chapter 645F of NRS." See, Section 17 of the Regulation.  
18

19 6. Pursuant to the Regulation, "(i)t is unlawful for any person to provide or offer to  
20 provide any of the services of a covered service provider, foreclosure consultant or loan  
21 modification consultant or otherwise to engage in carry on or hold himself out as engaging in  
22 or carrying on the business of a covered service provider, foreclosure consultant or loan  
23 modification consultant without first obtaining the applicable license issued pursuant to this  
24 chapter and chapter 645F of NRS, unless the person...(i)s exempt from the provisions of this  
25 chapter and chapter 645F of NRS...and (c)omplies with the requirements for that exemption."  
26 See, Section 102 of the Regulation.  
27

28 7. On or about December 12, 2009, the Division came into possession of an

1 advertisement representing that Respondent could renegotiate residential and commercial  
2 mortgages. A true and correct copy of the advertisement is attached hereto as **Exhibit "A"**  
3 and incorporated herein by reference as though set forth in full.

4 8. After reviewing the advertisement (**Exhibit "A"**), the Division conducted an  
5 investigation of Respondent which included visiting Respondent's website, www.Save-  
6 MyProperty.com, where the Division discovered that several of the web pages contained the  
7 following representations, among others, from Respondent:

8 a. "Your best loan modification, debt settlement, tax resolution, credit repair and  
9 bankruptcy solutions. Our highly skilled negotiators can significantly improve you (sic)  
10 financial position."  
11

12 b. "(Respondent) is comprised of a highly skilled network of authorized agents  
13 and associates throughout the country. Our specialists will negotiate on your behalf to remedy  
14 your situation and save you from losing your property through a mortgage renegotiation, as  
15 well as short sale, credit repair, debt settlement, tax resolution and real estate services...Our  
16 CSN team of experienced, hardworking professionals will ensure that you receive the quality  
17 of service you need and deserve. Our experienced staff is here to work with you to develop  
18 your file quickly and accurately in order to make the strongest case for you."  
19

20 c. "(Respondent) and its superior, highly experienced contracted legal team  
21 have saved many people from losing their properties – whether it was their homes or  
22 commercial property."  
23

24 d. "(Respondent) is "[l]icensed, bonded..."

25 True and correct copies of Respondent's web pages are attached hereto collectively as  
26 **Exhibit "B"** and incorporated herein by reference as though set forth in full.

27 9. The Division's investigation revealed, among other things, that:

28 a. Respondent has never applied for and/or been issued a license by the

1 Division to conduct loan modification or foreclosure consultant activities or otherwise provide  
2 'covered services,' as defined in NRS 645F.310, and has not posted a bond with the Division  
3 as required by Section 80 of the Regulation; and

4 b. At all relevant times herein mentioned, Respondent advertised and offered or  
5 provided, and continues to advertise and offer or provide, services of a covered services  
6 provider, foreclosure consultant or loan modification consultant or otherwise engaged in,  
7 carried on or held himself out as engaging in or carrying on the business of a covered  
8 services provider, foreclosure consultant or loan modification consultant without having  
9 applied for and/or been issued a license by the Division and without being exempt from  
10 licensing.  
11

12 10. Pursuant to the Regulation, "(f)or each violation committed by a person who  
13 engages in an activity for which licensure as a covered service provider, foreclosure  
14 consultant or loan modification consultant is required under this chapter and chapter 645F of  
15 NRS, without regard to whether the person is licensed under this chapter and chapter 645F of  
16 NRS, the Commissioner may impose upon the person an administrative fine of not more than  
17 \$10,000...if the person...(d)oes not conduct business in accordance with law or has violated  
18 any provision of this chapter or chapter 645F of NRS or any order of the  
19 Commissioner...(h)as offered or provided any services prescribed under this chapter or  
20 chapter 645F of NRS requiring licensure and the person did not have such a license and was  
21 not exempt from licensing at the time the person engaged in the activities..." See, Section  
22 103(3)(c), (w) of the Regulation.  
23

24 11. Pursuant to the Regulation, "(i)f a person engages in an activity in violation of the  
25 provisions of this chapter or chapter 645F of NRS or an order of the Commissioner, the  
26 Commissioner may issue an order directing the person to cease and desist from engaging in  
27 the activity. See, Section 108(1) of the Regulation.  
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**VIOLATIONS OF LAW**

After investigating this matter, it has been determined that at all relevant times herein mentioned, Respondent advertised and offered or provided, and continues to advertise and offer or provide, services of a covered services provider, foreclosure consultant or loan modification consultant or otherwise engaged in, carried on or held himself out as engaging in or carrying on the business of a covered services provider, foreclosure consultant or loan modification consultant without having applied for and/or been issued a license by the Division and without being exempt from licensing, in violation of Chapter 645F of NRS and Sections 17, 102 and 103(c), (w) of the Regulation.

**ORDER**

**NOW, THEREFORE, THE COMMISSIONER OF THE DIVISION HEREBY ORDERS,** pursuant to Chapter 645F of NRS and Section 108(1) of the Regulation, after having determined that Respondent advertised and offered or provided, and continues to advertise and offer or provide, services of a covered services provider, foreclosure consultant or loan modification consultant or otherwise engaged in, carried on or held himself out as engaging in or carrying on the business of a covered services provider, foreclosure consultant or loan modification consultant without having applied for and/or been issued a license by the Division and without being exempt from licensing, in violation of Chapter 645F of NRS and the Regulation, that **RESPONDENT IMMEDIATELY CEASE AND DESIST** from the following activities:

1. Advertising for and/or soliciting covered services, foreclosure consultant and/or loan modification consultant business in the State of Nevada without having first been issued a license by the Division pursuant to Chapter 645F of NRS and the Regulation to conduct activities; and

1           2. Offering or providing any of the services of a covered service provider, foreclosure  
2 consultant and/or loan modification consultant, or otherwise engaging in, carrying on or  
3 holding himself out as engaging in or carrying on the business of a covered service provider,  
4 foreclosure consultant and/or loan modification consultant in the State of Nevada for which he  
5 has not been issued a license by the Division pursuant to Chapter 645F of NRS and the  
6 Regulation to conduct activities.

7           **IT IS FURTHER ORDERED**, pursuant to Chapter 645F of NRS and Section 108(4) of  
8 the Regulation, that upon filing a verified petition with the Division within **twenty (20) days** of  
9 receipt of this Order to Cease and Desist, Respondent shall be entitled to a hearing with  
10 regard to the contents of this Order to Cease and Desist. Respondent is advised, however,  
11 that the provisions of this Order to Cease and Desist are effective immediately upon  
12 Respondent being served therewith, whether or not Respondent requests a hearing.  
13

14           **NOTICE TO RESPONDENT:** If you request a hearing, you are specifically informed  
15 that you have the right to appear and be heard in your defense, either personally or through  
16 your counsel of choice at your own expense. At the hearing, if one is timely requested, the  
17 Division will call witnesses and present evidence against you. You have the right to respond  
18 and to present relevant evidence and argument on all issues involved. You have the right to  
19 call and examine witnesses, introduce exhibits and cross-examine opposing witnesses on any  
20 matter relevant to the issues involved.  
21

22           **IT IS FURTHER ORDERED**, pursuant to Chapter 645F of NRS and Section 113(2) of  
23 the Regulation, that upon written application to the Division within **twenty (20) days** of the  
24 date of this Order, Respondent shall be entitled to a hearing with regards to the contents of  
25 this Order referenced hereafter. At that hearing the Division will seek to impose an  
26 administrative fine against Respondent in the amount of Ten Thousand Dollars and No Cents  
27 (\$10,000.00), payable to the Division on account of Respondent's multiple and continuing  
28

1 violations of Chapter 645F of NRS and the Regulation, the Division's costs in the amount of  
2 One Hundred Eighty Dollars and No Cents (\$180.00) as well as the Division's attorney's fees,  
3 if any, incurred herein, each to be proven at the hearing.

4 Should Respondent not timely request a hearing within **twenty (20) days** of the date of  
5 this Order, the Division will enter a Final Order in this matter against Respondent, as required  
6 by Section 113(2) of the Regulation. The Division's Final Order will require payment by  
7 Respondent of the administrative fine, the Division's costs, and the Division's attorney's fees,  
8 if any, incurred herein within **thirty (30) days** of the entry of the Final Order.

9 Dated this 11<sup>th</sup> day of May, 2010.

11 State of Nevada  
12 Department of Business and Industry  
13 Division of Mortgage lending

14 By: Joseph L. Waltuch  
15 Joseph L. Waltuch, Commissioner  
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## **EXHIBIT “A”**



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Residential or  
Commercial Mortgage!

Renegotiate Your  
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**Would you go to court without a lawyer if someone was suing you?**

*Then why would you work with your lender without the assistance of a lawyer who has only your benefit in mind?*

**expert works, still, for you and the lender** (p. 27). In an experienced legal modification

What are my chances of receiving a principle reduction in my modification?

What happens if the property is an investment property?

**What happens if I cannot afford the modified payment?**

What do we do that non-profits don't do?

How long will it take from beginning to end?

If I have more than one property, am I charged for each one individually or are they bundled into one price?

What percentage of modification applications are approved? Each lender is different, but we are seeing more of them approving applications than not approving them. As for us, we have a lot of modifications, are getting approval approximately 85 percent—depending on the lender.

What if I don't fall into any of the categories you listed for modification candidates?

It was not possible to figure out what we think about it, or even self-counsel about the merits of the foundation. The most we could do was to "show" the "therapeutic" value of the fund, as a social responsibility or self-interest. Apparently, rather than this, a more useful reality or theory, in either substance and/or technique, is made suggestions, but starting out of *forwardness is critical to your financial well-being.*

## **EXHIBIT “B”**

http://have-myproperty.com/ Windows Internet Explorer

Back to have-myproperty.com (All+Left)

Search

Save myproperty Sign In

Page Safety Tools

CS NEVADA

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**Toll Free 800.360.9886**

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City \_\_\_\_\_  
State \_\_\_\_\_ ZIP \_\_\_\_\_  
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Services: (You are requesting. Please check boxes.)

|  |                                     |
|--|-------------------------------------|
| Debt Settlement <input type="checkbox"/> | Short Sale <input type="checkbox"/> |
| Tax Resolution <input type="checkbox"/>  | Bankruptcy <input type="checkbox"/> |
| Got Money? <input type="checkbox"/>      | <b>SUBMIT</b>                       |

**Credit Services Nevada**

CSN is dedicated to offering you expert, personalized resolutions to benefit your mortgage, finances and credit.

Licensed, bonded and attorney backed. CSN is an innovative team that stays ahead of the curve, and in sync with the fast-moving and changing legal landscape of mortgage, bankruptcy, credit repair, debt settlement and tax resolution.

The sooner you begin the process...

The sooner you will start anew with the peace of mind you need

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Loan Modification ☐ Short Sale ☐Debt Settlement ☐ Bankruptcy ☐Tax Resolution ☐ Credit Repair ☐Got Money!® ☐**SUBMIT****ABOUT US**

Credit Services of Nevada is comprised of a highly skilled network of authorized agents and associates throughout the country. Our specialists will negotiate on your behalf to remedy your situation and save you from losing your property through a mortgage renegotiation, as well as short sale, credit repair, debt settlement, tax resolution and real estate services.

Our CSN team of experienced, hardworking professionals will ensure that you receive the quality of service you need and deserve. Our experienced staff is here to work with you to develop your file quickly and accurately in order to make the strongest case for you.

Discover what others have: No one works harder to solve your mortgage, financial and credit problems.

- We pride ourselves in helping you get your questions answered with prompt, courteous service.
- We never forget that it is personalized one-on-one service that sets us apart from the rest.
- The goal of our business is to satisfy our customers and their referrals.

Email or call us today! We can rectify your situation and put your mind at ease.

Fear Not...

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The sooner you begin the process...

The sooner you will start anew with the peace of mind you need.

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Tax Resolution ☐ Credit Repair ☐

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## WHY YOU NEED US

### The Advantages of a Legal Team to Assist You

Credit Services of Nevada, along with its contracted legal team, assists people every day who have attempted to work with the lending institution to renegotiate their mortgage but have failed because the lenders' guidelines are strict and very specific to each of them.

The lenders do not share their guidelines and therefore, often times, the client is doomed from the beginning. An experienced legal expert works strictly for you, not the lenders and will negotiate the best mortgage renegotiation and credit repair that you are entitled to—because we know the workings of the lenders and the laws.

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Loan Modification ☐ Short Sale ☐Debt Settlement ☐ Bankruptcy ☐Tax Resolution ☐ Credit Repair ☐Got Money!® ☐**SUBMIT****LOAN MODIFICATION:  
First Line of Defense**

Would you go to court without a lawyer if someone was suing you?

Then why would you work with your lender without the assistance of a lawyer who has only your benefit in mind?

Credit Services of Nevada and its superior, highly experienced contracted legal team have saved many people from losing their properties—whether it was their homes or commercial property.

Are you having problems making your monthly property payments due to any number of hardship factors such as, but not limited to, the following?

- Illness or medical bills
- Death of a spouse or co-borrower
- Loss of a job
- Reduced income
- Failed business
- Military duty
- Job relocation

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## WHAT IS LOAN MODIFICATION

### What is a Loan Modification?

A loan modification is an attempt by a homeowner to modify the terms of his/her mortgage. This includes interest rates, principal balance and monthly payments. Most mortgage companies have programs that will aid homeowners in crisis.

Our contracted legal team will help you navigate through all of the programs and obtain the most beneficial modification. Even if a mortgage company does not have specific programs, we will make a proposal to the mortgage company that will best meet your needs.

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**SUBMIT**

## LOAN MODIFICATION: FAQ's

(Frequently Asked Questions)

**What are the advantages of hiring an expert to deal with the financial institutions instead of doing it myself?**

Our contracted lawyers assist people every day who have attempted to do their own modification but have failed because the lender guidelines are strict and very specific to each of them. The lenders do not share what their guidelines are and therefore, often times, the client is doomed from the beginning. An experienced legal modification expert works strictly for you, not the lender. We will negotiate the best modification that you are entitled to, because our contracted lawyers know the workings of the lenders—and the lenders will listen to them.

**How do I know if I am a candidate for a loan modification?**

If your mortgage balance is higher than the value of your home, if your income-to-debt ratio is upside or any number of other categories of hardship, you are definitely a candidate.

**What are my chances of receiving a principle reduction in my modification?**

We don't make any guarantees but we do have a history of securing principle reductions. Each modification is individual so we cannot

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## **LOAN MODIFICATION: FAQ's (Frequently Asked Questions)**

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If your mortgage balance is higher than the value of your home, if your income-to-debt ratio is upside or any number of other categories of hardship, you are definitely a candidate.

**What are my chances of receiving a principle reduction in my modification?**  
We don't make any guarantees but we do have a history of securing principle reductions. Each modification is individual, so we cannot guarantee a principle reduction, but it is the initial modification we attempt to secure along with an interest reduction.

**What if I have a 1st and 2nd mortgage? Am I required to modify both loans?**  
Our contracted lawyers need to look at both mortgages to determine the best strategy. We may suggest a modification of one or both. It all depends on the lenders and your situation, but you do not have to modify both mortgages.

**Will a loan modification affect my credit?**  
No. The terms of your current mortgage are renegotiated with your current lender with no adverse effect on your credit rating.

**My lender will not renegotiate my mortgage, do I get my money back?**  
Yes, you will. We will place your money in escrow and if, for any reason, the mortgage modification is not accepted, we will keep a minimal processing fee and refund the balance of your payment directly to you.

**I have received a notice of default or sale date on my property, can you still help me save it?**  
Yes, we can. Our legal team will work quickly on your behalf and get your modification package in the lender's hands as soon as possible to begin the process of trying to save your home.

**What happens if the property is an investment property?**  
Investment properties can be modified with most lenders as long as the budget shows that you are capable, with the help of a modification, to maintain the property. The lenders do not want the property back.

**What happens if I cannot afford the modified payment?**  
Avoiding foreclosure is the ultimate goal. We will help you find other solutions. One of many solutions is a Short Sale. There are other solutions and we are happy to go over them with you.

**What if I have already been turned down for a mortgage modification that I tried to do on my own or through one of the non-profits?**

Our contracted legal modification specialists have saved hundreds of homes for people who have been previously turned down. Few people are successful trying to get a successful modification on their own or with a non-profit. Statistics show that about 90% of people fail on their own because the lender guidelines are strict. That is why we spend so much time going over the client's file and getting the submission package just right.

**What do we do that non-profits don't do?**

We develop a game plan to determine what your needs are to save your home. We set a proposed budget, maintain all contact with the lender, negotiate on your behalf and take care of the process from start to finish, including reviewing the final paperwork to ensure you get exactly what the lender has promised.

**How long will it take from beginning to end?**

Time frames are lender-specific. Some responses come in as soon as 2 weeks, and then there are lenders that are so back logged that they may take 3-4 months. If your case is urgent due to default or sale, we will move quickly to get response as soon as possible.

**If I have more than one property, am I charged for each one individually or are they bundled into one price?**  
Each property requires a different file to be processed and a modification specialist assigned to it. Therefore each property modification will be negotiated and charged individually. This will ensure that each lender's specific guidelines are as closely followed as possible giving the best modification outcome.

**What percentage of modification applications are approved?**

Each lender is different, but we are now seeing more of them working to approve loan modifications. As far as what percentage of modifications are getting approved, approximately 95 percent—depending on the lender.

**What if I don't fall into any of the categories you listed for modification candidates?**

If we are unable to achieve any kind of modification, or you still cannot meet the terms of the modification, the next step will be a Short Sale. The process will include a Listing Agreement, an offer and Approval Letter for the purchaser and a Realtor. There are other solutions and we are happy to make suggestions—*but staying out of foreclosure is critical to your financial well being.*

CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Department of Business and Industry, Division of Mortgage Lending, and that on , May 12, 2010, I deposited in the U.S. mail, postage prepaid via First Class Mail and Certified Return Receipt Requested, a true and correct copy of the foregoing, ORDER TO CEASE AND DESIST, NOTICE OF INTENT TO IMPOSE FINE AND NOTICE OF RIGHT TO REQUEST HEARING for CREDIT SERVICES OF NEVADA, LLC, addressed as follows:

Dane Phillips  
Credit Services of Nevada, LLC  
10795 W. Twain Avenue, Suite 120  
Las Vegas, NV 89135

Certified Receipt Number: 7006 2760 0000 0876 3787

Ira W. David  
Morishita Law Firm, LLC  
8960 W. Tropicana Avenue, Suite 300  
Las Vegas, NV 89147

Certified Receipt Number: 7006 2760 0000 0876 3794

DATED this 11th day of May, 2010

By: Susan Slack  
Employee of the Division